

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on August 19, 2014.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, YEA Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Police Chief Jeff Branson, Fire Chief Tony Nichols, and City Clerk Susan O'Brien.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting August 5, 2014; bills and payroll for the first half of August, 2014.

Bills and Payroll for the first half of August, 2014

General Fund

Payroll		\$	260,382.55
Bills		\$	1,105,948.03
	Total	\$	1,366,330.58

Arts Council

Bills		\$	203.50
	Total	\$	203.50

Hotel Tax Administration

Payroll		\$	1,865.24
Bills		\$	24,868.34
	Total	\$	26,733.58

Festival Mgmt Fund

Bills		\$	7,271.68
	Total	\$	7,271.68

Mobile Equipment Fund

Bills		\$	64,452.33
	Total	\$	64,452.33

Insurance & Tort Judgment

Bills		\$	39,945.00
	Total	\$	39,945.00

Midtown TIF Fund

Bills		\$	56,638.51
	Total	\$	56,638.51

Capital Project Fund

Bills		\$	175,565.18
	Total	\$	175,565.18

Broadway East Bus Dist.

Bills		\$	2,080.48
	Total	\$	2,080.48

Water Fund

Payroll		\$	34,882.45
Bills		\$	47,300.70
	Total	\$	82,183.15

Sewer Fund

Payroll		\$	33,707.45
Bills		\$	212,732.40
		\$	246,439.85
	Total		

Heath Insurance Fund

Bills		\$	113,128.30
	Total	\$	113,128.30

Motor Fuel Tax Fund

Bills		\$	44,534.68
	Total	\$	44,534.68

Mayor Gover opened the floor for comments/discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

Mayor Gover opened the floor for Public comments/questions. There was no response from the Public.

NEW BUSINESS

Commissioner Cox seconded by Commissioner Graven moved to adopt Special Ordinance No. 2014-1560, authorizing an ordinance for the sale of Lot 22 in Lake Paradise Subdivision to Suellen Burns, owner of a home on leased premises at Lot 22, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction which is commonly known as 3178 E. Lake Paradise Road.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2014-1560**

**AN ORDINANCE AUTHORIZING SALE OF SURPLUS REAL
ESTATE OWNED BY THE MUNICIPALITY**

WHEREAS, State Statute 65 ILCS 5/11-76-4.1 enables corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, Suellen Burns, owner of a cabin located on premises leased from the municipality located at 3178 East Lake Paradise Road, also known as Lot 22 of Lake Paradise Subdivision, has requested to purchase said Lot 22 at the appraised value of \$15,500.00; and

WHEREAS, the location of Lot 22 is shown on the attached sketch labeled Exhibit 'C'; and

WHEREAS, the City Council declared Lot 22 "no longer necessary or required for the use of the municipality" and "authorized management staff to negotiate contracts to sell said lots" by virtue of Resolution No. 2006-2642; and

WHEREAS, the City Council established certain Covenants, Restrictions, and Limitations for Lake Paradise Subdivision in a Declaration made May 16, 2006 and caused said document to be recorded at the Coles County Clerk and Recorder's Office as Document No. 0690359.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The City Council determines that it would be inappropriate to offer this property to competitive bidding since the leasee has already invested in permanent improvements on the premises that cannot be conveniently separated.

Section 2. The Mayor and City Clerk are authorized to sign documents conveying, by Warranty Deed, attached as Exhibit 'A', title to the real estate described in Section 3 of this ordinance to Suellen Burns in exchange for payment in the amount of \$15,500.00.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 22 of Lake Paradise Subdivision, Paradise Township, Coles County, Illinois. Commonly known as 3178 East Lake Paradise Road, Mattoon, Illinois.

Excepting any interest or estate in the minerals underlying the surface of the land which may have been heretofore conveyed or reserved, and all rights and easements in favor of any such mineral interest or estate.

Section 4. The Covenants, Restrictions, and Limitations for Lake Paradise Subdivision, Paradise Township, Coles County, Illinois, attached as Exhibit 'B', shall run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them and for the benefit of, and limitations on, future owners in such subdivision.

Section 5. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 6. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 19th day of August, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
Commissioner Hall, Commissioner Owen,
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 19th day of August, 2014.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on August 19, 2014.

Mayor Gover opened the floor for comments/discussion which was followed with no response.

Mayor Gover declared the motion carried by the following: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2014-1537, approving Change Order #1 in the amount of \$20,733.31 for the 9th Street Drainage Project. 08-00169-03-DR

Mayor Gover opened the floor for comments/discussion. Commissioner Hall requested an explanation with Director Barber stating the construction was based on unit prices and the change order provides the final adjustment for the project. Director Barber expressed accolades for the AJ Walker crews.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Owen moved to approve Council Decision Request 2014-1538, authorizing the purchase of one 2015 Ford Taurus AWD Police Interceptor in the amount of \$23,062.00 for the Mattoon Police Department.

Mayor Gover opened the floor for comments/discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Graven moved to adopt Special Ordinance No. 2014-1561, authorizing the purchase of 5.44 acres of real estate right-of-way from Steven E. Creviston in the amount of \$70,720 for Waste Water Treatment Plant Satellite Treatment Plant facility.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2014-1561
AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE

WHEREAS, the City of Mattoon is preparing to construct a Satellite Treatment Facility to collect and treat combined sewer overflows near Riley Creek; and

WHEREAS, approximately 5.44 acres of right-of-way is required from Steven E. Creviston for the construction of the facility and the piping leading to the facility; and

WHEREAS, Mr. Steven E. Creviston has agreed to sell said real estate at the appraised value of \$70,720.00; and

WHEREAS, said property is further described on the attached Warranty Deed, Survey Plat, and Aerial Photo marked as Exhibits 'X', 'Y', and 'Z' respectively.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, that

Section 1. The purchase of 5.44 acres described on the attached Warranty Deed and Survey Plat be approved in the amount of \$70,720.00 and that the Mayor and the City Clerk are hereby authorized to execute the necessary documents to complete the purchase.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 19th day of August, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
 Commissioner Hall, Commissioner Owen,
 Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 19th day of August, 2014.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST

APPROVED AS TO FORM

/s/ Susan J. O'Brien
City Clerk

/s/ Janett S. Winter-Black
City Attorney

Recorded in the Municipality's Records on August 19, 2014.

Mayor Gover opened the floor for comments/discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Owen moved to adopt Special Ordinance No. 2014-1562, authorizing the purchase of 6.3 acres of real estate right-of-way from Dean I. Creviston in the amount of \$82,000 for Waste Water Treatment Plant Satellite Treatment Plant facility.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2014-1562

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE

WHEREAS, the City of Mattoon is preparing to construct a Satellite Treatment Facility to collect and treat combined sewer overflows near Riley Creek; and

WHEREAS, approximately 6.3 acres of right-of-way is required from Dean I. Creviston for the construction of the facility and the piping leading to the facility; and

WHEREAS, Mr. Dean I. Creviston has agreed to sell said real estate at the appraised value of \$82,000.00; and

WHEREAS, said property is further described on the attached Trustee's Deed, Survey Plat, and Aerial Photo marked as Exhibits 'X', 'Y', and 'Z' respectively.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, that

Section 1. The purchase of 6.3 acres described on the attached Trustee's Deed and Survey Plat be approved in the amount of \$82,000.00 and that the Mayor and the City Clerk are hereby authorized to execute the necessary documents to complete the purchase.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Owen, adopted this 19th day of August, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
 Commissioner Hall, Commissioner Owen,
 Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 19th day of August, 2014.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien
City Clerk

/s/ Janett S. Winter-Black
City Attorney

Recorded in the Municipality's Records on August 19, 2014.

Mayor Gover opened the floor for comments/discussion/questions which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2014-1539, approving a \$5,700 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon High School for hosting the MHS Boys Golf Invitational to be held on September 12 & 13, 2014 and the MHS Girls Holiday Basketball Team to be held on December 26, 27, and 29, 2014; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for comments/questions/discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2014-1540, approving a \$7,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon YMCA for hosting three events: Last Chance Triathlon on October 5, 2014, Ghouls in the Pool on October 25, 2014, and the Girls on the Run 5K on November 8, 2014; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for questions/discussion/comments which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Owen moved to approve Council Decision Request 2014-1541, approving an \$11,300 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Area Community Foundation for the Mattoon Civil War Memorial Ellipse Project Phase II, contingent upon the remaining funding for Phase II being secured for phase completion; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for comments/discussion/comments which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, Abstain (due to service on the Committee) Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted attendance of several meetings, concentrated efforts on the proposed AFSCME contract, and upcoming Police contract negotiations. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY noted continued communications with Mr. Sheppard and his attorney regarding the cellular tower agreement. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted business as usual as well as assisting the auditors.

FINANCE noted assistance with the auditors and receipt of the second installment of property taxes; and reviewed the July Financial Report. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS noted first day of school preparedness, completion of 9th Street Project, resurfacing project completion, coordinating with Ameren on gas line work, and continued efforts on the sidewalk project north of the High School. Mayor Gover inquired as to the effectiveness of the electronic speed sign by Riddle Elementary School. Director Barber stated the school was provided programming for the sign, but had no information on its effectiveness. Commissioner Graven noted its functioning before school started. Mayor Gover opened the floor for questions with no response.

FIRE reported participation by the Fire Department at several public service events and fundraisers; anticipation of hearing from the Office of the State Fire Marshall on the DeWitt Avenue East fire; and appreciation of the assistance from several other fire departments on the DeWitt Avenue East fire; and providing mutual aid to Sullivan with a fire. Mayor Gover noted Mr. Paul McKillip's appreciation of Mattoon's Fire Department and Police Department as well as Wabash Fire Department on the DeWitt Avenue East fire. Mayor Gover opened the floor for questions with no response.

POLICE noted the start of school last Friday and the enforcement of the texting violations; two armed robberies, resolved home invasion case from March, and the outstanding efforts by the entire staff of the Police Department as well as Cumberland County Sheriff's Office. Mayor Gover commended the Police Department on solving an armed robbery. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM Commissioner Hall reported on the Fourth of July – Fireworks expenses of \$24,000 with all but \$600 being recovered, and smooth traffic and parking occurrences this year. Commissioner Hall also noted the 2013 Tourism Dollar Totals for Coles County were \$48,550,000 as provided by the State which businesses received majority of those dollars.

Mayor Gover seconded by Commissioner Graven moved to recessed to closed session at 6:56 p.m. pursuant to the Illinois Open Meetings Act for the purpose of discussing collective negotiating matters between the City of Mattoon and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees (5ILCS/20 (2)(C)(2)).

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Council reconvened at 7:12 p.m.

Commissioner Graven seconded by Commissioner Cox moved to adopt Special Ordinance No. 2014-1563, approving a four-year contract renewal of the collective bargaining agreement with the AFSCME, AFL-CIO, Council 31, Local 3821.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2014-1563**

AN ORDINANCE APPROVING A FOUR YEAR CONTRACT RENEWAL OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, COUNCIL 31, LOCAL 3821

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Council hereby approves a four year contract renewal to the “Collective Bargaining Agreement” dated August 19, 2014 with the American Federation of State, County and Municipal Employees, AFL-CIO, Council 31, Local 3821, a copy of which is attached and incorporated by reference.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Graven, seconded by Commissioner Cox, adopted this 19th day of August, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
 Commissioner Hall, Commissioner Owen,
 Mayor Gover

NAYS (Names): None

ABSENT (Names): None

APPROVED this 19th day of August, 2014.

/s/ Tim Gover
Tim Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on August 19, 2014.

Mayor Gover opened the floor for comments/discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, and Hall had no further comments. Commissioner Owen congratulated Director Barber on completion of the South Side Drainage Project, which has taken several years to complete.

Commissioner Hall seconded by Commissioner Cox moved to adjourned at 7:13 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, NAY Commissioner Owen, YEA Mayor Gover.

/s/ Susan J. O'Brien
City Clerk